

# Exhibit 2

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

LEAGUE OF CONSERVATION VOTERS, *et al.*,

*Plaintiffs,*

v.

DONALD J. TRUMP, *et al.*,  
*Defendants.*

No. 3:17-cv-00101 (SLG)

**DECLARATION OF ERIK G. MILITO IN SUPPORT OF THE AMERICAN  
PETROLEUM INSTITUTE'S MOTION FOR LEAVE TO INTERVENE**

I, Erik G. Milito, depose and state as follows:

1. I am the Group Director of Upstream and Industry Operations of the American Petroleum Institute ("API"). API is the primary national trade association of the oil and natural gas industry. API represents more than 625 member companies involved in all aspects of the oil

and natural gas industry, including exploration and production, and conduct much of the production, refining, marketing and transportation of petroleum and petroleum products in the United States.

2. Together with its member companies, API is committed to ensuring a strong, viable U.S. oil and natural gas industry capable of meeting the energy needs of our Nation in an efficient and environmentally responsible manner. Representation of the interests of the oil and gas industry in litigation is part of API's overall purpose, and API has on numerous occasions intervened as a party in litigation affecting those interests.

3. I received a Bachelor of Business Administration degree from the University of Notre Dame and a Juris Doctor from Marquette University.

4. Based on my more than 14-year career at API, I am familiar with our member companies' activities concerning oil and gas development on lands leased from the public.

5. Oil and gas development is carried out exclusively through private oil and gas companies. Those companies acquire leases through a sealed bidding process, and then engage in exploration efforts that, if successful, will lead to production. API members include leaseholders in every leased OCS region, and API members have been for decades among the principal bidders on—and have expended significant sums to obtain leases from the Government for—OCS leases for the opportunity to explore for and develop valuable oil and gas resources. Members of API are directly engaged in oil and gas exploration and production and have been for decades among the principal developers of leases throughout the United States, including throughout the Outer Continental Shelf (“OCS”). In addition to leaseholders and operators, API members include companies that provide support services—for example, providing material and equipment—for offshore oil and gas development.


6. Operations for the exploration and development of oil and gas resources on a lease—including drilling—are conducted pursuant to plans and permits that must be approved by the Department of the Interior. *See* 43 U.S.C. § 1340(c); 30 C.F.R. § 550.201; 30 C.F.R. §§ 550.211–235; 43 U.S.C. § 1351; 30 C.F.R. § 550.201; 30 C.F.R. §§ 550.241–273. Before conducting drilling activities under an approved exploration or development plan, a lessee must also obtain the Department’s approval of, *inter alia*, an application for a permit to drill. *See* 30 C.F.R. § 550.281(a)(1); 30 C.F.R. §§ 250.410–418; 30 C.F.R. §§ 250.465–469

7. API has previously submitted comments to the Department of Interior on behalf of its members supporting leasing and oil and gas development in both the Arctic and Atlantic OCS, and indicating the members’ interests in such leasing. The Plaintiffs’ claims that large sections of the Arctic and Atlantic OCS are permanently withdrawn from potential disposition for oil and gas leasing thus directly affects API members’ interests in obtaining OCS leases in these regions and, thereafter, exploring for and developing valuable oil and gas resources.

8. At a minimum, Plaintiffs’ request permanently to withdraw large portions of the Arctic and Atlantic OCS from disposition for oil and gas leasing and development, *see* Complaint (Dkt. No. 1), Relief Requested, ¶¶ 1–4, could substantially delay the oil and gas development activities of API members.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed in Washington, D.C. this 28<sup>th</sup> day of June 2017.

  
Erik Milito  
Group Director, Upstream & Industry Operations  
American Petroleum Institute  
Washington, D.C.